REMARKS

1. Claims 1-33 are presently pending. Claims 1-33 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,915,001, to Premkumar Uppaluru ("Uppaluru"), in view of U.S. Pat. No. 5,913,196 to Talmor et al. ("Talmor"). The rejection states that Uppaluru discloses a method for recognizing voice commands for manipulating data on the Internet, and also discloses providing data, receiving voice signals from a user accessing the website, interpreting the voice signals for determining navigational commands, and outputting selected data based on the navigational commands. The rejection admits that Uppaluru fails to explicitly teach a user authentication and verification process using at least two voice authentication algorithms. Office Action, p. 3, lines 10-11.

The rejection then states that this feature is well known in the art, as evidenced by Talmor, which discloses a method for identifying a person's identity over a secured network comprising the step of establishing the identity of the user through at least two authentication algorithms. It would have been obvious to one of ordinary skill in the art at the time the invention was made, states the rejection, to implement the voice verification of Talmor in Uppaluru's voice browser for the purpose of establishing the identity of a speaker via voice authentication for authorized access that is more reliable and more efficient, as suggested by Talmor. The rejection then recites details from the description of Uppaluru and uses the details in rejections of Claims 2-6. The rejection also analogizes Claims 7-12, 13-18, and 19-33 as being similar in scope to Claims 1-6 and states that Claims 7-12, 13-18, and 19-33 are rejected under the same rationale.

2. Applicant traverses the rejections on the grounds that the Examiner has not established a prima facie case of obviousness. To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. M.P.E.P. § 2143.

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The combination of references is improper, Claims 1-33

3. The combination of the two references is improper. A person having ordinary skill in the art and practicing Uppaluru's invention of Internet voice command recognition for "providing and using universally accessible voice and speech data files," and already using an authentication procedure, would not be motivated to use a second algorithm as taught by Talmor. Uppaluru teaches "universal access to voice-based documents," preferably for subscribers. Abstract, lines 1-2 and 4-7. Talmor teaches supervising controlled access to a secured system. Talmor, col. 5, lines 2-3. The prior art must be considered in its entirety. M.P.E.P. 2141.02 at 2100-120. Talmor teaches the use of speech recognition for authorized access only to a secured computer network system, while Uppaluru teaches universal access to a great variety of websites, while recognizing the need for controlling access to secure areas, such as sites involving financial information. Uppaluru, col. 2, lines 5-7. Instead of using two voice authentication algorithms, Uppaluru teaches using a single, sufficiently long voice sample, and another type of authentication or identification, such as personal identification number. Uppaluru, col. 3, lines 1-4 and 7-10. Rather than using two algorithms, Uppaluru teaches using a random choice of password stored in the authentication system. Uppaluru, col. 3, lines 12-18.

The Examiner has given no reason why these two particular references, Uppaluru and Talmor, would be selected over any other possible references, and why they suggest precisely the solution to the problem that Applicants have invented. Talmor states that more efficient and reliable voice recognition systems are needed, such as two different voice authentication algorithms. Talmor, col. 4, lines 36-40. The Office Action does not explain why Talmor's two different voice authentication algorithms are to be preferred over other possible improvements over Uppaluru's method. For instance, a longer voice sample could be used, or a second PIN number, rather than two voice authentication algorithms. Talmor itself suggests using a particular password or the user's social security number, in addition to the voice recognition algorithm, which would clearly make for a more secure system. Talmor, col. 8, lines 6-13. Any of these would also satisfy the need for a more secure system, and the rejection does not explain why the particular combination of Claim 1 is obvious in view of Talmor and Uppaluru.

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A rejection cannot be predicated on the mere identification of individual components of claimed limitations; particular findings must be made as the reason the skilled artisan, with no knowledge of the claimed invention, would have selected these particular components for a combination in the manner claimed. In re Kotzab, 55 U.S.P.Q.2d 1313, 1317 (Fed. Cir. 2000). Thus, the present rejection is improper, because the rejection does not explain why the particular claimed solution, rather than several other possibilities, are suggested. This may be impermissible hindsight. There is thus no prima facie case of obviousness for at least Claim 1 of the present application. Claims 7 and 13 are similar to Claim 1, and there is also no prima facie case of obviousness against them. Claims 2-6, 7-12, and 13-18 depend from Claims 1, 7, and 13, and are allowable at least for that reason.

Claims 4, 10 and 16

4. The rejection states that the limitations of Claims 4, 10 and 16, for determining a language from the voice signals, are taught in Uppaluru. Office Action, p. 4, lines 9-10, citing Uppaluru at col. 16, line 49, to col. 17, line 45. The cited passages, however, merely discuss enhanced speech recognition, along with techniques especially for speaker-dependent voice recognition. At most, Uppaluru teaches recognizing "phonemes" in the cited passage, but does not teach determining the native or foreign language spoken in the voice sample. The words "language" and "foreign language" do not appear in these passages, and Uppaluru does not teach the limitations of Claims 4, 10 and 16, which are therefore allowable.

The rejection does not state specific rejections for Claims 19-33, which are also allowable.

5. The rejection does not articulate the limitations of Claims 19-25 or where specifically the limitations are taught or suggested in the references. Claims 19-25 are structured differently from Claims 1-18 and recite different limitations. For instance, Claim 19 recites a method that includes a step of characterizing the voice signal and storing a plurality of parameters indicative of a voice of the person. This step is not taught or suggested in Uppaluru or Talmor. Dependent Claims 20-25 recite different limitations, such as a voice signal that is characterized by statistical

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parameters, or a method wherein a step of receiving voice signals is accomplished at a first site and a step of comparing is accomplished at a second site. The rejections do not mention specific claim limitations and do not cite the references as teaching or suggesting these specific limitations of Claims 19-25. Accordingly, the Office Action does not make out a prima facie case of obviousness for Claims 19-25. Claims 19-25 are therefore allowable.

6. The rejections are also not specific concerning Claims 26-29, and therefore a prima facie case of obviousness has also not been made against them. Claim 26 recites a system for accessing and navigating data on the Internet using voice signals. The Examiner has not cited art anticipating or making obvious the components of the system, which include: a transducer; a terminal further comprising a receiver, an analog front end and a codec; a processor; and an interface between the terminal and the processor, with additional limitations regarding the operation of the transducer and the system. Claim 27 includes additional limitations on the transducer, "wherein the transducer is selected from the group consisting of a microphone, an optical transducer, and a radio-frequency transducer." Claim 28 recites additional limitations regarding the interface, "wherein the interface is selected from the group consisting of an interface circuit, and a transmitter for transmitting digitized sound data and a terminal for receiving the digitized sound data." Claim 29 further defines the interface as comprising a digital signal processor, a transmitter, a terminal unit, and an interface circuit, with further limitations on the operation of the components. The Office Action has not cited art that describes or suggests any of the limitations of Claims 26-29. There is no prima facie case of obviousness against Claims 26-29, which are therefore allowable.

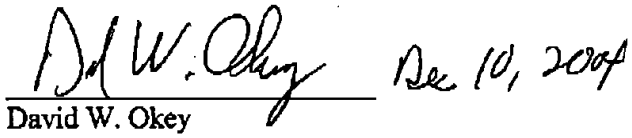
7. The rejection of Claims 30-33 is also not specific, and therefore does not constitute a prima facie case of obviousness against them. Claims 30-33 recite a computer program embodied on a computer readable medium for recognizing voices and voice commands for accessing and manipulating data on the Internet. The limitations of the claims include code segments for receiving and digitizing voice signals from a user, and a code segment for

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analyzing the voice signals and determining statistical parameters indicative of the voice and voice commands from the user. The computer program also comprises a code segment for identifying and storing statistical parameters indicative of a voice signal from a user, a code segment that interprets voice signals and voice commands of the user for determining an identity of the user, and a code segment for navigating on the Internet. The Office Action has not cited passages that describe or suggest the limitations of Claims 30-33. Therefore, the rejection has not made out a prima facie case of obviousness. The Examiner is respectfully requested to withdraw the rejections of Claims 30-33, and to advance these claims to allowance.

8. Applicant requests that the Examiner withdraw the rejections of Claims 1-33, and advance the claims to allowance. If the Examiner would like to discuss the claims, the Examiner is respectfully requested to call the undersigned at 312-321-4711.

Respectfully submitted,



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David W. Okey
Reg. No. 42,959
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

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